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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

PARTON, KEVIN S

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/161,404

Applicant(s)

NAKAMURA, SHUICHI

Examiner

Kevin Parton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-47 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 14-47 is/are rejected.
- 7) ☒ Claim(s) 43 and 46 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7. 6) ☐ Other:

DETAILED ACTION

Specification

1. Claims 43 and 46 are objected to because of the following informalities: they are duplicates of claim 40. Appropriate correction is required.

Response to Arguments

2. Applicant argues "The drawings were...withdraw the objection" (page 19, paragraph 1 – 2). The objection to the drawings due to the lack of reference numbers in the specification is withdrawn.
3. Applicant's further arguments filed 10/28/2002 have been fully considered but they are not persuasive.
4. The applicant argues "The applied art...of the present invention" (page 21, paragraph 4 – page 22, paragraph 1). The argument is not persuasive because the use of the term "directly" does not specify a particular schema of connection. The clients of Girerd et al. do communicate directly with the remote sensors in that they receive updated information in "real time" as that status changes. The term "directly" does not necessarily mean that no server is utilized in the transaction. The server of the reference is simply a communication medium that does not affect the transmission. The claims teach a server that provides a method for a client to communicate with a remote apparatus, this reads on the reference of Girerd et al. See below for the previous rejection altered with the new wording of the amended claims. In addition, the idea of "real time" is affected by any transmission through a network. Whether passed through a server or passed from machine to machine without pass through a server, there is some delay in receipt.

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5. The applicant argues “Wortham is merely...overcome Girerd’s deficiencies” (page 22, paragraph 2). As shown above, the claims read on the Girerd et al. reference. The Wortham reference is used in combination to teach that it would be obvious to send the status information at timed intervals.

6. The applicant argues “Moreover, nothing in...the present invention” (page 22, paragraph 3-4). All of the referenced rejections are based on obviousness. The return of a URL is an obvious advantage since the client will be accessing a URL for the information (see rejection below). The Streit and Kitano references are in the same field of endeavor and show features that are obvious modifications of the system of Girerd et al.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 14-16, 20, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Girerd et al. (USPN 6,131,067).

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9. Regarding claims 14, 20, and 21, Girerd et al. (USPN 6,131,067) teach a system comprising means including an information providing system using a general purpose protocol (column 2, lines 30-35, column 3, lines 23-26) for allotting input information, which has been entered at a plurality of information generating terminals connected to a network (column 2, lines 15-25; column 3, lines 23-26), to a client connected to the network, comprising:

- a. Terminal status storage means for receiving data sent from the plurality of information generating terminals at predetermined time intervals (column 2, lines 21-28; column 4, lines 43-45). Note that in the reference, the ability of the server to identify the remote device implies storage means.
- b. Storing the data in a storage unit provided for each information generating terminal (column 2, lines 21-28; column 6, lines 17-19). Note that in the reference, the ability of the server to identify the remote device implies storage means.
- c. First transmitting means for transmitting viewing information concerning information generating terminals to the client in order to make it possible for the client to select an information generating terminal for which data has been stored (column 2, lines 21-22; column 3, lines 47-50).
- d. Second transmitting means for transmitting, to the client, terminal identifying information identifying an information generating terminal selected by the client so that the client can directly communicate with the information generating terminal so as to receive input information of the information generating terminal, which has been selected by the client, in such a manner

that the client can receive information that has been entered from an input device possessing the information generating terminal that has been selected (column 2, lines 25-28, column 3, lines 55-60). Note above that the word “directly” does not necessarily mean that no server is inserted into the path.

In the reference, the server is merely a communication medium. The Girerd et al. reference allows clients to see status changes of a remote object in near real time giving them direct communication with the remote object.

10. Regarding claim 15, Girerd et al. (USPN 6,131,067) teach all the limitations as applied to claim 14. They further teach means wherein the network is the Internet (column 3, lines 28-31) and said information providing apparatus is a World-Wide Web server (column 3, lines 48-50).

11. Regarding claim 16, Girerd et al. (USPN 6,131,067) teach all the limitations as applied to claim 15. they further teach means wherein a protocol between the information generating terminals and the information providing apparatus, as well as a protocol between said information providing apparatus and the client is the Hypertext Transfer Protocol (column 3, lines 56-60). Note that although the reference does not specifically state that the information generating terminals communicate via http, they are communicating over cellular to a WWW server, so http is implied as the standard for the full system.

12. Regarding claims 39, 42, 45 Girerd et al. (USPN 6,131,067) teach a system which outputs information of an information generating terminal to a predetermined output terminal via a network, wherein said information generating terminal comprises:

- a. Sensing means for sensing status information of the information generating terminal itself (column 2, lines 19 – 21; column 3, lines 38-40).

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- b. Generating means for generating information to be transferred (column 5, lines 3-7). Note that the remote object generates the position information via GPS.
- c. First transmitting means for transferring information sensed by said sensing means to a predetermined server on the network so as to store the information in storage means of the server (column 5, lines 26-37). Note that in the reference, the server stores information about the remote objects.

Said server comprises:

- d. Second transmitting means for transmitting, to the output terminal, the status information of the information generating terminal stored in said storage means and terminal identifying communication information identifying the information generating terminal so that the output terminal can directly designate the information generating terminal (column 5, lines 26-37). Note that the terminal identification and position are sent to the end user.

Said output terminal comprising;

- e. Communication means for receiving the status information and the terminal identifying communication information transferred from said sever, for referring to the received status information, and for receiving information from said information generating terminal directly by accessing said information generating terminal using the terminal identifying communication information (column 5, lines 26-37). Note that the client can get information as it is sent to the server, giving it a direct connection to the remote object.

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The term “direct” does not necessary mean that there is no server involved in the communication.

- f. Output means for outputting information from said information generating terminal (column 5, lines 64-67).

13. Regarding claims 40, 43, and 46 Girerd et al. (USPN 6,131,067) teach all the limitations as applied to claim 39. They further teach means wherein the terminal identifying communication information is address information of the information generating terminal on the network (column 5, lines 26-37). Note that in the reference, the identification of the remote object must be sent. This identification could be called an address on the network, but it must uniquely identify the object.

14. Regarding claims 41, 44, and 47 Girerd et al. (USPN 6,131,067) teach a system for outputting information of an information generating terminal to an output terminal via a network, comprising:

- a. Receiving means for receiving status information of said information generating terminal (column 2, lines 19 – 21; column 3, lines 38-40).
- b. Transmission means for transferring, to said output terminal, the status information received by said receiving means and terminal identifying communication information which is used for communication with said information generating apparatus directly (column 5, lines 26-37). Note that the terminal identification and position are sent to the end user. Also note that the term “directly” does not necessarily mean that no server can be involved

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in the communication. The client can receive updates as the remote object sends them, giving a direct communication path.

- c. Wherein said output terminal refers to the status information and receives information from said information generating terminal directly by communicating with the information generating terminal using the terminal identifying communication information (column 5, lines 26-37). Note that in the reference, the client machine must identify the remote object and then receive the information after a request.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al. (USPN 6,131,067).

17. Regarding claim 18, Girerd et al. (USPN 6,131,067) teach the limitations as applied to claim 16. They further teach means wherein the terminal status storage means updates position information, which is sent from each of the information generating terminals, in accordance with a directory name and file name specific to each individual information generating terminal (column 6, lines 10-19).

Although the system disclosed by Girerd et al. (USPN 6,131,067) (as applied to claim 16) shows substantial features of the claimed invention, it fails to disclose means wherein said terminal status storage means stores position information in accordance with a URL of said information providing apparatus.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067).

A person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the URL of the remote device for reference and storage. This allows for no translation to be required between the returned information and the stored position information. This decreases lag time and the opportunity for system error.

18. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al. (USPN 6,131,067) in view of Wortham (USPN 5,299,132).

19. Regarding claim 19, Girerd et al. (USPN 6,131,067) teach the limitations as applied to claims 16. They further teach means wherein said first transmitting means transfers data, via Hypertext Markup Language and allows transmission by the second transmitting means (column 3, lines 47-60).

Although the system disclosed by Girerd et al. (USPN 6,131,067) shows substantial features of the claimed invention, it fails to disclose means wherein message includes combined image information and URL information, the combined image information consisting of a map image in the vicinity of a position requested by a client and an icon image indicating a position at which an information generating terminal contained in the map image is present.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067), as evidenced by Wortham (USPN 5,299,132).

In an analogous art, Wortham (USPN 5,299,132) discloses a system for vehicle location and communication comprising means utilizing a message consisting of a map image in the vicinity of a position requested by a client and an icon image indicating a position at which an information generating terminal contained in the map image is present (column 1, lines 55-57).

Given the teaching of Wortham (USPN 5,299,132), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of maps and icons for location of the vehicle by the client user. The benefit of this is that it gives the user a larger view of the location of the remote device on a surface that is easily understood by the user.

In addition, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of a URL and image file in the returned message. All this information is necessary for the user and may be accessed from the central server or sent from the remote device as claimed. If sent from the remote device, this eliminates the need to query the server separately for the image information. The map will automatically be available to the user without the overhead of requesting it from the server.

20. Claims 17 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al in view of Kitano et al. (USPN 5,926,116).

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21. Regarding claim 17, Girerd et al. (USPN 6,131,067) teaches the limitations as applied to claim 16. They further teach a system comprising means wherein each of the information generating terminals has a Global Positioning System (GPS) (column 4, lines 23-25)

Although the system disclosed by Girerd et al. (USPN 6,131,067) shows substantial features of the claimed invention, it fails to disclose means wherein each of said information generating terminals has an image sensing means.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067), as evidenced by Kitano et al. (USPN 5,926,116).

In an analogous art, Kitano et al. (USPN 5,926,116) disclose a system for remote information retrieval comprising a remote terminal with image sensing means and a GPS (column 4, lines 47-61). The image sensing means is a video camera and provides images back to the central server.

Given the teaching of Kitano et al. (USPN 5,926,116), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of an image sensing mechanism at the remote location. This would aid the client user and increase situational awareness by providing not only a computer generated but also a real time visual representation of the location of the remote sensor. The user could more easily react to changes in the environment that would be otherwise unknown. Note that any number of sensors may be applicable here including sound and climate.

22. Regarding claim 22, Girerd et al teach an information providing system in which a plurality of information generating terminals, an information display terminal and a server are

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connected via a general-purpose network, wherein each information generating terminal comprises:

- a. Input means for inputting position information from a Global Positioning System (column 4, lines 23-25)
- b. First transmitting means for transmitting information, which has been input by the input means, in order to store the information in the server in accordance with an URL allocated to the information generating terminal (column 2, lines 24-26). Note that the URL is generated by the server or sent from the remote device, either method is acceptable.

Said information display terminal comprises:

- c. First requesting means for requesting the server to transmit viewing information relating to the information generating terminals (column 2, lines 17-21). Note that in the reference, the client's submission of a remote device ID is the request in the claim.
- d. Selecting means for selecting a desired information generating terminal from the viewing information that has been sent from the server (column 2, lines 17-21). Note that in the reference, the requested ID could be through a URL displayed to the user.
- e. Said server comprises storage means for storing information, which is transmitted from the information generating terminal, at a location corresponding to the URL (column 2, lines 21-28). Note that in the reference, the ability of the server to identify the remote device implies storage means.

- f. Second transmitting means which, in a case where the first requesting means of said information display terminal has issued a request, transmits the viewing information relating to the information generating terminal stored by the storage means to the information display terminal that issued the request (column 2, lines 25-27).
- g. Third transmitting means for transmitting, to said information display terminal, terminal identifying communication for identifying the information generating terminal, which has been selected by said selecting means of said information display terminal, so that the information display terminal can directly communicate with the information generating terminal so as to receive input information of the information generating terminal (column 2, lines 25-27).

Although the system disclosed by Girerd et al. (USPN 6,131,067) shows substantial features of the claimed invention, it fails to disclose:

- a. Input means for inputting video data representing video sensed by prescribed image sensing means;
- b. Display means for displaying at least the video data, which has been input by the first input means, contained in information that has been generated by the information generating terminal selected by the selecting means.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067), as evidenced by Kitano et al. (USPN 5,926,116).

In an analogous art, Kitano et al. (USPN 5,926,116) disclose a status monitoring system comprising:

- a. Input means for inputting video data representing video sensed by prescribed image sensing means (column 4, lines 47-61).
- b. Display means for displaying at least the video data, which has been input by said first input means, contained in information that has been generated by the information generating terminal selected by said selecting means (column 3, lines 13-18).

Given the teaching of Kitano et al. (USPN 5,926,116), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of a video sensor in combination with the GPS. Video gives the most easily human readable situational awareness representation. This would aid the client user and increase situational awareness by providing not only a computer generated but also a real time visual representation of the location of the remote sensor. The user could more easily react to changes in the environment that would be otherwise unknown. Note that any number of sensors may be applicable here including sound and climate.

23. Regarding claim 23, Girerd et al. (USPN 6,131,067) and Kitano et al. (USPN 5,926,116) teach all the limitations as applied to claim 22. Girerd et al. (USPN 6,131,067) further teach means wherein the network is the Internet (column 3, lines 28-31).

24. Regarding claim 24, Girerd et al. (USPN 6,131,067) and Kitano et al. (USPN 5,926,116) teach all the limitations as applied to claim 22. Girerd et al. (USPN 6,131,067) further teaches means wherein a protocol between the information generating terminals and the server, as well

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as a protocol between the server and the information display terminal, is the HyperText Transfer Protocol (column 3, lines 55-60). Note that although the communication between remote device and server is not explicitly stated, it is a web server and the communication line is cellular, so http can be assumed.

25. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al. and Kitano as applied to claim 22 above, and further in view of Wortham.

26. Regarding claim 25, Girerd et al. (USPN 6,131,067) and Kitano teach the limitations as applied to claim 22. They further teach means wherein said first transmitting means transfers data, via Hypertext Markup Language and allows transmission by the second transmitting means (column 3, lines 47-60).

Although the system disclosed by Girerd et al. (USPN 6,131,067) and Kitano shows substantial features of the claimed invention, it fails to disclose means wherein message includes combined image information and URL information, the combined image information consisting of a map image in the vicinity of a position requested by a client and an icon image indicating a position at which an information generating terminal contained in the map image is present.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067) and Kitano, as evidenced by Wortham (USPN 5,299,132).

In an analogous art, Wortham (USPN 5,299,132) discloses a system for vehicle location and communication comprising means utilizing a message consisting of a map image in the vicinity of a position requested by a client and an icon image indicating a position at which an information generating terminal contained in the map image is present (column 1, lines 55-57).

Given the teaching of Wortham (USPN 5,299,132), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) and Kitano by employing the use of maps and icons for location of the vehicle by the client user. The benefit of this is that it gives the user a larger view of the location of the remote device on a surface that is easily understood by the user.

In addition, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of a URL and image file in the returned message. All this information is necessary for the user and may be accessed from the central server or sent from the remote device as claimed. If sent from the remote device, this eliminates the need to query the server separately for the image information. The map will automatically be available to the user without the overhead of requesting it from the server.

27. Claims 26, 28, 30, 32, 33 34, 35, 36, 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al. in view of France et al. (USPN 5,928,306).

28. Regarding claims 26, 30, 34, 35, and 37, Girerd et al. teach a system for sensing a status of an object terminal via a network and outputting information indicative of the sensed status to a prescribed output terminal, wherein said object terminal comprises:

- a. Sensing means for sensing position information of the object terminal itself
(column 2, lines 19 – 21; column 3, lines 38-40).
- b. Transmitting means for transferring the position information to a
predetermined server on the network, so as to store the position information in
storage means provided in said server as a URL with identification of the

remote object (column 2, lines 21-28; column 5, lines 4-6). Note that the user accesses the file via a URL that must individually identify the element.

Said output terminal comprises:

- c. Readout means for reading information out of said storage means of the server (figure 1A; column 2, lines 54-57). Note that in the reference, the client is the readout machine.
- d. Output means for producing an output in accordance with the information read out by readout means (column 2, lines 54-57). Note that in the reference, the client is the readout machine.

Although the system disclosed by Girerd et al. shows substantial features of the claimed invention, it fails to disclose means wherein the remote object transfers the position information by HTTP protocol to a predetermined server on the network.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067), as evidenced by France et al. (USPN 5,928,306).

In an analogous art, France et al. (USPN 5,928,306) discloses a system for position information being transmitted over the Internet wherein the position information is transferred by HTTP protocol to a predetermined server on the network (column 7, line 49 – column 8, line 9). Note that in the reference, the server it is sent to can be accessed by clients.

Given the teaching of France et al. (USPN 5,928,306), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of HTTP from the receiver to the server. This relieves

the need for the server to make a conversion of the data and to immediately store it for access by the client. This benefits the system because in a high volume situation, the server will not be a bottleneck for conversion before storage.

29. Regarding claims 28 and 32, Girerd et al. (USPN 6,131,067) teach all the limitations as applied to claims 26 and 30, respectively. They further teach means wherein the network is the Internet (column 3, lines 29-31; figure 1A). The signal is sent over phone lines and eventually through the Internet to the user.

30. Regarding claims 33, 36, and 38, Girerd et al. (USPN 6,131,067) teach a client terminal which is provided in a moveable object and connectable to a server which receives and stores position information indicative of a position of an object terminal, said client terminal comprising:

- a. Requiring means for requiring, the position information of the object terminal stored in said server (column 3, lines 55-60; column 5, lines 26-37). Note that the user of the client can request information or it can be requested automatically.
- b. Receiving means for receiving the position information of the object terminal sent from said server by said requiring means (column 5, lines 26-37).
- c. Display means for displaying a symbol mark on a map displayed on a screen on a basis of the position information received by said receiving means (column 5, lines 64-67). Note that display options are defined, one of which is displaying as a symbol on a map.

Although the system disclosed by Girerd et al. (USPN 6,131,067) shows substantial features of the claimed invention, it fails to disclose means wherein the transmitting is done via a URL in HTTP.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067), as evidenced by France et al. (USPN 5,928,306).

In an analogous art, France et al. (USPN 5,928,306) discloses a system for position information being transmitted over the Internet wherein the position information is transferred by HTTP protocol to a predetermined server on the network (column 7, line 49 – column 8, line 9). Note that in the reference, the server it is sent to can be accessed by clients. The use of a URL would be necessary for location by the eventual client.

Given the teaching of France et al. (USPN 5,928,306), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of HTTP from the receiver to the server. This relieves the need for the server to make a conversion of the data and to immediately store it for access by the client. This benefits the system because in a high volume situation, the server will not be a bottleneck for conversion before storage.

31. Claims 27 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al. (USPN 6,131,067) and France et al. (USPN 5,928,306) as applied to claim 27 above, and further in view of Streit et al. (USPN 5,902,351).

32. Regarding claims 27 and 31, although the system disclosed by Girerd et al. (USPN 6,131,067) and France et al. (USPN 5,928,306) (as applied to claims 26 and 30, respectively)

shows substantial features of the claimed invention, it fails to disclose means wherein the sensing means includes means for sensing the direction of the object.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067) and France et al. (USPN 5,928,306), as evidenced by Streit et al. (USPN 5,902,351).

In an analogous art, Streit et al. (USPN 5,902,351) disclose a system for GPS tracking of vehicles and remote terminals comprising means wherein the sensing means includes means for sensing the direction of the object terminal (column 3, lines 2-20). Note that velocity measurements by definition include directional components.

Given the teaching of Streit et al. (USPN 5,902,351), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) and France et al. (USPN 5,928,306) by employing the use of a sensor to note direction of the remote object. This allows the client machine to provide the user with a historical path, a current position, and a likely future position. The benefit of this is the increased awareness of the client to the movements of the remote object.

33. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Girerd et al. (USPN 6,131,067) and France et al. (USPN 5,928,306) as applied to claim 26 above, and further in view of Wortham (USPN 5,299,132).

34. Regarding claim 29, although the system disclosed by Girerd et al. (USPN 6,131,067) and France et al. (USPN 5,928,306) (as applied to claim 26) shows substantial features of the claimed invention, it fails to disclose means wherein the transmitting means transmits the position information at a prescribed time interval determined by an external setting.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Girerd et al. (USPN 6,131,067) and France et al. (USPN 5,928,306), as evidenced by Wortham (USPN 5,299,132).

In an analogous art, Wortham (USPN 5,299,132) discloses a system for vehicle locating and communicating including means wherein the transmitting means transmits the position information at a prescribed time interval determined by an external setting (column 4, lines 13-21). Note that in the reference, the setting comes from host controller to the cellular remote client; this is considered 'external' as claimed.

Given the teaching of Wortham (USPN 5,299,132), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Girerd et al. (USPN 6,131,067) by employing the use of a programmable transmit time interval. This benefits the system in two ways: 1) the remote device need not have a human controller for sending back the data, and 2) The timing interval for all connected devices can be changed at one time by a central system administrator. This alleviates the need for a change to every device individually if that change is necessary.

Conclusion

35. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Parton whose telephone number is (703)306-0543. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703)305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-9242 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Kevin Parton
Examiner
Art Unit 2153

ksp
January 7, 2003



GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100